

Overview and Scrutiny



Improving Scrutiny Task and Finish Group Agenda

6.00 pm, Tuesday, 12 September 2023
Civic Suite, Lewisham Town Hall, London SE6 4RU

For more information contact:

This meeting is an open meeting and all items on the agenda may be audio recorded and/or filmed.

Part 1

Item		Pages
1.	Election of the Chair	
2.	Declaration of interests	1 - 4
3.	Improving scrutiny Task and Finish Group scoping report	5 - 23

Improving Scrutiny Task and Finish Group Members

Members of the committee, listed below, are summoned to attend the meeting to be held on Tuesday, 12 September 2023.

Jeremy Chambers, Monitoring Officer
04 September 2023

Members Councillor Mark Jackson Councillor Sian Eiles Councillor Mark Ingleby Councillor James Rathbone Councillor Aliya Sheikh	
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Task and Finish Group

Declarations of Interest

Date: 2023-24

Key decision: No

Class: Part 1 (not restricted)

Ward(s) affected: All (none specific)

Contributor: Jeremy Chambers (Director of Law and Corporate Governance)

Outline and recommendations

Members are asked to declare any personal interest they have in any item on the agenda.

1. Summary

1.1. Members must declare any personal interest they have in any item on the agenda. There are three types of personal interest referred to in the Council's Member Code of Conduct:

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests.

1.2. Further information on these is provided in the body of this report.

2. Recommendation

2.1. Members are asked to declare any personal interest they have in any item on the agenda.

3. Disclosable pecuniary interests

3.1 These are defined by regulation as:

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:
 - (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either:
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

4. Other registerable interests

4.1 The Lewisham Member Code of Conduct requires members also to register the following interests:

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party

- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

5. Non registerable interests

- 5.1. Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

6. Declaration and impact of interest on members' participation

- 6.1. Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- 6.2. Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph 6.3 below applies.
- 6.3. Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- 6.4. If a non-registerable interest arises which affects the wellbeing of a member, their family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- 6.5. Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

7. Sensitive information

- 7.1. There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

8. Exempt categories

8.1. There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception).

9. Report author and contact

9.1. Jeremy Chambers, Director of Law and Corporate Governance - [Jeremy Chambers@lewisham.gov.uk](mailto:Jeremy.Chambers@lewisham.gov.uk), 020 83147648



Improving Scrutiny Task and Finish Group

Scoping Report

Date: 12 September 2023

Key decision: No

Class: Part 1 (open)

Wards affected: All (none specific)

Contributor: Timothy Andrew (Scrutiny Manager)

Outline and recommendations

This report outlines the role of the Improving Scrutiny Task and Finish Group - and summarises the scope of the work it will carry out.

Members of the Task and Finish Group are asked to:

- consider and comment on the content of the report
- describe the intended outcomes of the Task and Finish Group
- agree the Group's key lines of enquiry
- agree a timetable for completion of this work.

The proforma for the Group (written by Councillors) is attached as Appendix A.

Timeline of engagement and decision-making

The subject of this Task and Finish Group was proposed by councillors:

- Mark Jackson, Sian Eiles, Mark Ingleby, Oana Olaru, Rudi Schmidt¹

The subject and membership of the Task and Finish Group were agreed by Overview and Scrutiny Committee on 4 July 2023.

The first meeting of the Group is on 12 September 2023.

¹ Note that the final membership of the group was agreed as: Cllr Jackson, Cllr Eiles, Cllr Ingleby, Cllr Rathbone, and Cllr Sheikh

1. Summary

- 1.1. This report asks members of the Task and Finish Group to consider the scope of the review and to define its intended outcomes.

2. Recommendations

- 2.1. Members of the Task and Finish Group are asked to:
 - consider and comment on the content of the report
 - define the intended outcomes of the Task and Finish Group
 - agree the Group's key lines of enquiry
 - agree a timetable for the completion of this work.

3. Context

Lewisham's Corporate Strategy

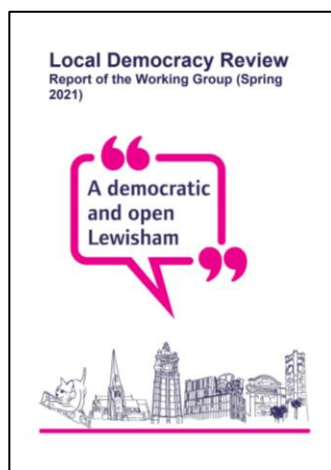
- 3.1. The corporate strategy² defines the Council's values, priorities and focus for the years 2022-2026:
 - Cleaner and Greener
 - Strong Local Economy
 - Quality Housing
 - Children and Young People
 - Safer Communities
 - Open Lewisham
 - Health and Wellbeing
- 3.2. The work of the Task and Finish Group relates to all of these priorities – given that Overview and Scrutiny considers issues within the whole of the Council's work and focuses on the needs and wellbeing of all of Lewisham's residents.
- 3.3. Lewisham's Overview and Scrutiny arrangements result from the provisions of the Local Government Act 2000 – which required Council's to move from the previous committee system of decision making to executive governance arrangements - including that of a directly elected mayor (which was the option chosen in Lewisham).
- 3.4. There is currently: a single Overview and Scrutiny Committee (formed of ten councillors) as well as six thematic select committees and three (each lasting up to twelve months) time-limited task and finish groups (such as this).
- 3.5. Aside from the adoption of Task and Finish Groups- and the recent changes to the Overview and Scrutiny Committee, the structure of scrutiny in Lewisham has remained largely unchanged in the years since its inception. Nonetheless, there have been several reviews and proposals for reorganisation – as detailed below.

² [Corporate Strategy for 2022-2026](#)

4. Overview and scrutiny

The Democracy Review (2018)

- 4.1. Mayor Egan proposed a review of Lewisham's democratic processes and decision making as part of his election platform in 2018. The review was intended to consider how residents could become more involved in decision making – and to explore how to make the Council more open and transparent.
- 4.2. In July 2018, the Council set up a working group consisting of eight councillors to conduct the review. This group was tasked with making recommendations to Council about how the Mayor and Council could:
 - enhance its openness and transparency
 - increase public involvement in Council decisions
 - promote effective decision making.
- 4.3. In addition to an online questionnaire completed by over 700 respondents, members of the working group spoke to thousands of residents at 40 community events across the borough and took evidence from local democracy experts.



- 4.4. The Working Group produced a report³ with a series of 57 recommendations, including a number that related directly to scrutiny – advising that:
 - A further review should be carried out to identify the best structure and approach for overview and scrutiny to increase its impact and effectiveness whilst reducing the current comprehensive time commitments for all nonexecutive councillors. This should be inclusive of a greater focus on policy development through 'task and finish' in-depth review work and should give consideration to the separation of policy development from scrutiny of performance and decisions; not all nonexecutive councillors should be required to be on a scrutiny committee to allow a greater flexibility of approach and focus, and a fairer distribution of the workload across all councillors various roles and responsibilities. The revised structure should be ready for implementation at the Council AGM in 2020.

³ Local democracy review report - <https://lewisham.gov.uk/-/media/files/localdemocracyreviewreport.ashx>

4.5. It was also recommended that:

- Whilst the review of Overview and Scrutiny structure and approach is underway, Overview and Scrutiny should operate within its current constitutional arrangements but with a greater focus on early and pre-decision scrutiny, and community engagement where possible.

Overview and Scrutiny review (2020)

4.6. Councillors Juliet Campbell and Sakina Sheikh were tasked with taking forward the recommendations relating to overview and scrutiny. The scope of this work was provided for in the recommendations and included reviewing:

- The impact of scrutiny
- The effectiveness of scrutiny
- Ensuring a reduced time commitment for members
- Promoting policy development through task and finish
- Considering the separation of policy development from the scrutiny of performance and decisions

4.7. This work was overseen by the (then) Chair of Overview and Scrutiny and considered benchmarking information and desktop research. As part of this work, officers spoke to colleagues and gathered information from all of London's 31 other boroughs regarding their scrutiny arrangements.

4.8. The sub-group considered guidance from the Centre for Governance and Scrutiny and - in addition, councillors requested a summary of every submission and response to each formal referral to Mayor and Cabinet from 2016-2019⁴.

4.9. The Group met on a number of occasions to discuss the evidence gathered and to ensure that their work aligned with the recommendations of the Democracy Review. As a result of this work, three options for the future of scrutiny were proposed – each was intended to meet the recommendations set out in the Democracy Review – and to reduce the extensive time commitment for members at evening meetings.

4.10. The proposals presented a range of options – from fundamentally altering the structure of scrutiny and refining its purpose – to adjusting the existing arrangements and adding additional options for members to engage in pre-decision scrutiny.

4.11. Ultimately, it was decided that the structure of scrutiny should remain relatively unchanged with a reduction in the number of formal committee meetings and the potential to create task and finish groups (such as this) to carry out investigations and policy development.

⁴ This entailed the review and documentation of 84 separate referrals from scrutiny committees to the Executive over this period.

Constitution Review (2022-23)⁵

- 4.12. In Spring 2022, the Constitution Working Party agreed that the constitution should be updated and modernised. The Director of Law and Corporate Governance proceeded with a desktop review of the existing arrangements – in comparison with good practice and other London authorities. As part of the review officers considered the composition of overview and scrutiny committees, (their size and membership) in all the other London Boroughs.
- 4.13. Proposals for changes to the number of members sitting on the Overview and Scrutiny Committee – to align with good practice – and a number of constitutional amendments to clarify the special responsibility allowances available, the functions of the revised Overview and Scrutiny Committee and the relationship between scrutiny and the executive were agreed.
- 4.14. More detailed changes, including proposals to amend the number of select committees – and to align terms of reference with directorates - were not tabled, pending further consultation with members.

Officer – member scrutiny survey (2023)

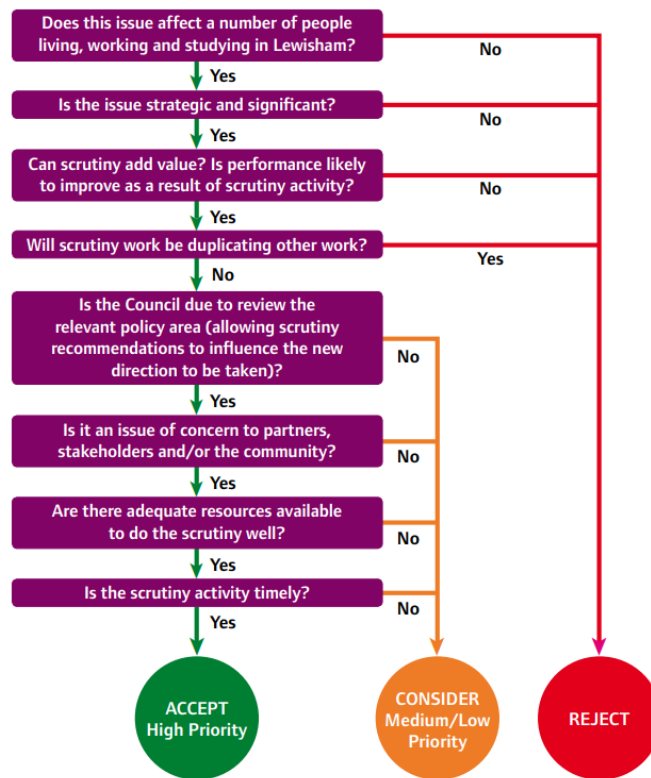
- 4.15. The Chair of Overview and Scrutiny initiated three surveys in the Spring of 2023 to gather feedback from cabinet members, senior officers, and scrutiny members. A range of questions were included about the functions of scrutiny and on the relationship between the officers, the cabinet and scrutiny committees.
- 4.16. The surveys were open for several weeks – with reminders sent to officers and to members of scrutiny inviting them to participate. Responses to the survey varied in their approach to the key issues and it would be challenging to draw any firm conclusions from the information gathered. The ability to generalise is also limited by the small number of responses to the surveys.

Good scrutiny

- 4.17. Scrutiny in Lewisham has constantly sought to develop and evolve good practice. As a result of the successive reviews of the structure and purpose of scrutiny – we know that Lewisham has a number of examples of effective working.
- 4.18. Prioritisation has been a long-standing focus for the development of committee work programmes. Lewisham’s process for prioritisation has been developed and honed over a number of years – with each committee choosing its own level of focus for the integration of the key prioritisation themes into its work programme. The prioritisation process has also been shared with other authorities – and upheld as an example of innovation:

⁵[Report to the constitution working party: constitution review phase 2, March 2023](#)

Scrutiny work programme – prioritisation process



4.19. This process was endorsed during the Democracy Review process – in which, emphasis was placed on the removal of ‘information items’ from committee work programmes and greater focus placed on developing collaborative approaches with officers to make best use of committee time.

4.20. Throughout the democracy review – members also re-emphasised the importance of:

- Having fewer, more in-depth items on committee agendas
- Concluding committee business within two hours
- Making evidence-based recommendations and referrals.

4.21. These are all widely acknowledged to be good practice. There are many other examples of good scrutiny in Lewisham - including, but not limited to:

- Utilising time outside of formal meetings to receive information items and reports ‘to note’
A good example of this is the Sustainable Development Select Committee’s consideration of the implementation of the bio-diversity action plan. The Committee receives the regular updates from the biodiversity partnership by email – and members are able to ask questions for clarity or further information. The consideration of the implementation of the parks and open spaces strategy remains on the Committee’s annual work programme – with the opportunity to scrutinise officers from the Council’s parks, sport and leisure team about the performance and implementation of the agreed plans.

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- Conducting visits to gather information and consider options for future scrutiny
For example - on a recent visit to the Lewisham Gateway Development with the Director of Planning and the site developers, Members heard about some of the issues, discussions and negotiations that take in these large-scale schemes. The visit also provided the opportunity for members to consider how best to scrutinise the development of the Catford Town Centre master plan.

Members of the Housing Select Committee used a visit to a retrofit scheme in the London Borough of Lambeth to see first-hand how councils are using funding to carry out large scale works. Members were also able to use this experience to prepare for scrutiny of Lewisham's own forthcoming retrofit strategy, without utilising formal Committee time for information gathering.

- Focusing on priority issues
Safer Stronger Communities Select Committee used all its June 2023 meeting to focus on the development of Lewisham's Public Space Protection Order. The Committee cleared all of the other items and updates from its agenda to focus on the development of the order. It heard from witnesses and stakeholders about the plans for the order – and made a detailed referral to Mayor and Cabinet based on this work.
- Allocating time to effective agenda planning, removing unnecessary items from work programmes.
The Public Accounts Select Committee has removed a number of standing 'updates' and information items from its programme. Those requiring information to be provided by officers are either circulated by email (such as reports of interest progressing to Mayor and Cabinet) or are available for detailed briefings from officers. Chairs of all select committees take time to meet with the relevant report authors and scrutiny officers to prioritise work programmes between meetings and to ensure that scrutiny is focused on issues that result in meaningful outcomes.
- Engaging with service users
Housing Select Committee has taken the opportunity to engage with residents in social housing – including hearing from residents regarding their views on rent and service charge increases.
- Collaboration between different scrutiny committees to collectively address several aspects of a shared issue
For example, Housing Select Committee and Healthier Communities Select Committee undertook a joint site-visit to a block of 30 new flats on Mayow Road (Gibbes Court) in April 2023. This visit encompassed an exploration of 24 residences that were designated for temporary accommodation (relevant to HSC) as well as 6 flats that were intended for disabled residents (relevant to HCSC). This collaborative approach promoted a more holistic understanding of interconnected issues and encouraged the pooling of insights and expertise for more effective decision making across related topics.

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- Working with partners
Members of the Healthier Communities Select Committee have been working with officers from the NHS, integrated care board commissioners and neighbouring local authorities through a joint overview and scrutiny committee for the wider region. Healthcare partners are regularly consulted about the work of the Committee – and a number attend formal meetings to engage with the Committee on topics of mutual interest. Committee members have also visited NHS sites in the borough to see healthcare delivery first hand – such as the recent visit to the Ladywell Unit at Lewisham Hospital.

The Housing Select Committee has invited partners from the largest social housing providers in the borough to provide updates and answer questions regarding complaints and repairs. These sessions include robust questioning, and a recent session was reported on in local media outlets.

- Running meetings efficiently
Public Accounts Select Committee has a near perfect record for running meetings to time- most often finishing meetings within two hours and only breaching the Council's ordinary processes for meetings in limited and defined circumstances - to complete necessary committee business.

4.22. As part of the review, Task and Finish Group Members may wish to collate additional examples of good practice that can be shared and replicated amongst committees.

The executive – scrutiny protocol

4.23. Lewisham has developed a protocol to better the relationship between scrutiny members and the executive cabinet. The protocol sets out how each should interact with the other – and it ensures that there are mechanisms in place to enable consensus to be found in situations of disagreement. As part of the review, Task and Finish Group Members should consider if the protocol is acting as intended – and – whether there are any improvements or amendments that could be recommended to ensure that communication and collaboration between scrutiny and the executive is as effective as possible.

5. Key lines of enquiry

5.1. The Centre for Governance and Scrutiny has designed a framework for improving scrutiny arrangements⁶. The framework outlines a five-step process for examining scrutiny practice and implementing new ways of working:

1. Taking stock
2. Identifying what scrutiny's role is
3. Ways of working and accessing information
4. Agreeing a new structural model
5. Ongoing review and evaluation



5.2. The framework process begins with the development of a set of key 'design principles' to focus effort and to avoid the evaluation becoming limited by considerations about governance structures. The following 'design principles' are suggested as key lines of enquiry for this Task and Finish Group– and are based on the pro-forma, as well as initial discussions with members and scrutiny officers:

Influence

- How can scrutiny more effectively engage with cabinet and officers at the pre-decision stage of policy making?
- How should scrutiny chairs be made aware of upcoming issues and priorities for directorates?
- What mechanisms are in place to ensure that effective prioritisation of work programmes is taking place?

⁶ [Link to the scrutiny evaluation framework \(PDF\) on the CfGS website](#)

Collaboration

- How best can a constructive two-way relationship with Mayor and Cabinet be developed and maintained?
- How best can communication between cabinet members and scrutiny members be facilitated?
- How should cabinet priorities and plans be shared?
- Are any changes needed to the scrutiny – executive protocol?

Impact

- How might the processes for following up on requests for information, the implementation of recommendations and responses to formal referrals be made more transparent?
- How should scrutiny publicise the outcome of its work?
- What happens when there is disagreement about the implementation of recommendations?

Effectiveness

- What skills do scrutiny councillors need to carry out their roles effectively?
- What mechanisms are in place to ensure that committees are implementing good practice?
- What options are available to members to increase their opportunities to hear from residents and community groups?

6. How the Task and Finish Group will be run

6.1. It is intended that this Task and Finish Group be:

- Collaborative – scrutiny officers, directorate officers and councillors working together to address a topical issue of concern
- Time limited – to suggest solutions in a timely manner, with allocated tasks, progress checks and deadlines
- Flexible – with a mixture of formal and informal meetings, visits, research, user engagement etc.
- Focussed on solutions – the aim is to take evidence from a wide range of sources and good practice to develop affordable, practical solutions that are evidence based and implementable and that will have a positive impact on the lives of residents.

6.2. The Overview and Scrutiny Committee has also agreed that task and finish groups should focus on residents' experience:

- Focussed on residents – the issue will be clearly defined, and solutions suggested, on the basis of understanding residents' experience

6.3. There may be some opportunities to engage with residents as part of this review – but it should be recognised that, given the democratic, member-led nature of scrutiny, that residents' experience of the Council's scrutiny function is unlikely to be a core focus.

Taking stock: September-October

6.4. In line with the approach set out by the CfGS as part of its scrutiny evaluation framework, it is proposed that the first phase of the task and finish group will focus on 'taking stock.' Sections three and four of this report provide some background to enable this work. A focused exercise (utilising the examples provided in the CfGS framework) should draw on the expertise and knowledge of all scrutiny councillors – with an open call for answers to the questions posed in the framework. Member of the TFG might also each work with one of the six select committee chairs.

6.5. This should culminate in an opportunity for engagement with all councillors for feedback at the end of the first step.

The future role of scrutiny in Lewisham: November-December

6.6. Moving on to step two – members should consider what the role of scrutiny is – and how this should be expressed. The framework places a strong emphasis on the requirement for scrutiny to be clear about its focus:

'The selection of a clear and unambiguous focus for scrutiny is a critical part of improving its impact. The resource, and organisational commitment, simply no longer exist for us to talk about scrutiny as a function which "holds the executive to account" in the broadest sense of the term, without a sense of a need to prioritise its work. Discussion and agreement on scrutiny's role will be difficult,

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and will cause contention.’ (CfGS, p15)

- 6.7. The delivery of this step will be closely guided by the information and insight gained in the first step – it will also be a critical juncture in which discussions with the Cabinet and Council officers (at different levels of the organisation) will be a valuable source of analysis and support.
- 6.8. The GfGS also recommends that consideration be given at this stage to assessing the sources of information available to scrutiny (and how that information should be used). TFG members might also take the opportunity to review best practice examples from other authorities and sources of good practice

Potential new ways of working: January-February 2024

- 6.9. On the third step, members should consider ways of working and managing the performance of the scrutiny process. Members might also consider the support needed from officers to prioritise agendas; prepare for meetings and focus scrutiny activities. This step will lead to the final report and recommendations. The delivery of this step will entail condensing the learning from the previous two steps into usable processes and ways of working for scrutiny member to use to deliver on the agreed areas of focus – and the commitments set out through collaboration and consensus. These may naturally lend themselves to a particular new model of working – or they may present different options for further consideration by the Council.
- 6.10. It is proposed that steps four and five of the review (agreeing a new model – and ongoing evaluation and review) should return to the Overview and Scrutiny Committee for consideration and agreement. In line with recent changes to the Council’s constitution, should the Director of Law and Corporate Governance (in consultation with the Chair of the Committee) decide that any proposed changes require formal consideration in advance of submission to Council – then a meeting of the Governance Committee would be called.

7. Sources of evidence and engagement

- 7.1. The Chair of Overview and Scrutiny is a key stakeholder, and it is proposed that early discussions are held with Councillor Schmidt about his vision and ambitions for scrutiny in Lewisham. The Cabinet Member for Finance and Strategy is also a stakeholder – and should be party to early discussions. Councillors Juliet Campbell and Sakina Sheikh (who led on the scrutiny sub-group of the Democracy Review) should also be included in early discussions regarding the legacy of the review and the process of achieving consensus regarding new ways of working.
- 7.2. As outlined above, officers were recently provided with the opportunity to submit their views on scrutiny through the Chair of Overview and Scrutiny’s online survey. Officers’ advice, support and direction will be particularly pertinent during ‘step two’ of the evaluation process. TFG members might each be tasked with consulting a senior officer regarding their experiences and opinions regarding Overview and Scrutiny. This should include the Council’s Director of Law and Corporate Governance. Members should also hear from the Head of Scrutiny

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and Policy, who is the Council's statutory scrutiny officer⁷ - officers in the Council's Overview and Scrutiny Team may also be called on for advice, information, and expertise.

- 7.3. Residents and community groups are also key stakeholders. At present, members engage with residents in their wards on a range of issues on a regular basis – this informs their approach to scrutiny and policy development. Committees may also invite individuals or community groups to make representations to them on specific issues of interest. Task and Finish Group might wish to consult with groups in specific areas of interest about their interactions with scrutiny – and the potential for future opportunities for engagement.

8. Timeframe and resources

- 8.1. The first formal meeting of the task and finish group will take place on 12 September 2023 and further desktop research, evidence gathering, and engagement will take place over the five months to February 2024. There will be further meetings of the group, either formal or informal, over the lifespan of the project and officers from the scrutiny team will work with council officers. The project will conclude with a final formal meeting of the task and finish group to consider the recommendations the group will make to Overview and Scrutiny Colleagues and Mayor and Cabinet.

9. Intended outcomes

- 9.1. The work of the task and finish group is intended to support work to improve the following outcomes:
- Increased influence for overview and scrutiny in policy development
 - Improved opportunities for collaboration with the executive, senior officers, partners, and service users
 - Renewed focus on the impact of scrutiny
 - Replication of effective practices and meeting management
 - Consensus on potential changes to support the implementation of new ways of working
- 9.2. Issues outside of the scope of the Task and Finish Group include – the operation of the Executive and any management decisions that are within the remit of officers.

⁷ As defined by the Local Government Act 2000

10. Financial implications

10.1. There are no direct financial implications arising from the implementation of the recommendations in this report. Elements of the work of the Task and Finish Group may have financial implications, and these will need to be considered in due course.

11. Legal implications

11.1. The Council's Constitution provides at paragraph 6.11, Article 6 that the Overview and Scrutiny Committee may from time to time appoint sub-committees, to be known as task and finish groups which will exist for a period of no less than 3 months, nor more than 12 months from the date of their creation. It further adds that 'Any task and finish group shall consist of five members and be established for the purpose of examining a particular issue in depth. The terms of reference of any task and finish group shall be agreed by the Overview and Scrutiny Committee which shall also appoint members to it.'

12. Equalities implications

12.1. The Equality Act 2010 (The Act) legally protects people from discrimination in the workplace and in wider society. It replaced the previous anti-discrimination laws with a single act. It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

12.2. The Act also imposes a public sector equality duty. This means that in public bodies, of which this Council is designated, they must consider all individuals in carrying out their day-to-day work when shaping policy, in delivering services and in relation to their own employees. It also requires public bodies to:

- Have due regard to the need to eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

12.3. Scrutiny tries to make sure that its work reflects the diversity of Lewisham's communities and that the views of residents are fairly represented in scrutiny processes. Any recommendations arising from scrutiny work support the Council's corporate strategy and reflect the needs of residents.

12.4. There are no direct equality implications arising as a result of the implementation of the recommendation in this report but there are likely to be equality implications arising as part of the Task and Finish Group's work and there will need to be considered in due course.

13. Climate change and environmental implications

13.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. However, in February 2019 Lewisham Council declared a Climate Emergency and proposed a target to make the borough carbon neutral by 2030. The declaration tasked the Sustainable Development Committee with scrutinising the Council's emerging

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plans. There may be climate change implications arising throughout the review and as part of any recommendations made by the Group. These will need to be considered in due course.

14. Crime and disorder implications

14.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report. Matters considered by the Task and Finish Group may have crime and disorder implications and the task and finish group will need to give due consideration to this.

15. Health and wellbeing implications

15.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report. Matters considered by the Task and Finish Group may have health and wellbeing implications, these issues will be considered as part of the review.

16. Report author and contact

16.1. If you have any questions about this report, please contact: Timothy Andrew (Scrutiny Manager) timothy.andrew@lewisham.gov.uk or 020 8314 7916

Appendix 1 – Task and finish group proposal

<p>Proposed title</p> <p>This should be written as a question. What is the main question that you are looking to answer? Ideally use “how” I.e. “How can we improve.....XXX?”</p>	<p>How can we improve scrutiny at Lewisham: Participation, Performance and Outcomes</p>
<p>Overview</p> <p>Provide 2-3 sentences explaining the proposed investigation in more detail including the key areas that you are proposing to look at.</p>	<p>Building on the 2019 Democracy Review and findings of the 2022 LGA Peer Review, examine current approaches to scrutiny at LBL with a view to improving participation in, performance of and outcomes from scrutiny.</p> <p>Examining:</p> <ul style="list-style-type: none"> - ‘Scrutiny culture’ – what relationship should scrutiny have with the executive/the organisation; what are each not getting from the other to achieve that relationship; what outcomes scrutiny is seeking to achieve. - ‘Participation’: <ul style="list-style-type: none"> o For scrutiny Councillors – support from the organisation to conduct effective scrutiny; empowering Cllrs to make use of/develop their skills; barriers to participation. o For residents – improving resident engagement with scrutiny; support for resident-led reviews/similar approaches; co-optees; learning from e.g., Lewisham DBC. - ‘Performance’ – how scrutiny can be more effective in shaping policy; balance of pre-decision vs. post-decision scrutiny; approaches to scrutiny e.g., in-depth review, public scrutiny, TFG. - ‘Outcomes’ – how to ensure scrutiny recommendations are effective; extent to which scrutiny recommendations are taken up by executive/the organisation; monitoring and evaluation of scrutiny outcomes. <p>Proposed outcomes:</p> <ul style="list-style-type: none"> - Recommendations to the executive/organisation on supporting scrutiny from councillors/the public - Recommendations to Overview & Scrutiny on effective scrutiny – including potential revisions to the Scrutiny Protocol - Potential recommendations on constitutional changes to support the above

<p>Reason for proposal</p> <p>Why do you think that a task and finish group is the most appropriate way to address this issue / answer this question? Where has the suggestion come from? (I.e., through resident engagement, casework, external inspection, performance information.)</p>	<p>These issues are cross-cutting and do not sit within the remit of any single scrutiny committee – the proposal is to examine and scrutinise <u>how</u> we do things, not <u>what</u> the Council is doing in any one policy area.</p> <p>Suggestion has come via feedback from councillors on challenges with current arrangements, as well as some findings from the Council’s recent LGA Peer Challenge.</p>
<p>Policy Context</p> <p>How does the proposal support delivery of the Lewisham Corporate Strategy; national/regional policies, initiatives; legislation etc.</p>	<p>The investigation will support LBL to deliver its Corporate Strategy, in particular the objectives to ensure “Strong and effective governance” and to ensure the organisation “stays on track and measures success” against internal and external priorities, through offering proposed improvements to scrutiny of governance and performance.</p>
<p>Criteria for the investigation</p> <p>(Essential)</p> <ul style="list-style-type: none"> • Is the proposed investigation timely? Why? • Is it a strategic and significant issue? How? • Is it of concern to one or more sections of the population? Who? <p>(Desirable)</p> <ul style="list-style-type: none"> • Is the issue of concern to partners or stakeholders? How? • Will the investigation add value in terms of improving the council’s or partner’s performance or service delivery? How? • Will the investigation be duplicating any other work? What? • What control or influence does the Council have in this area? 	<p>The proposed investigation is timely as:</p> <ul style="list-style-type: none"> - Builds on the 2019 Democracy Review as well as findings from LBL’s recent LGA Peer Challenge, which <i>inter alia</i> identified “confusion about the role of different levels of scrutiny and relationships with officers” and a need to do more to “embed the principle and practice of a member-led Council.” - Recent proposals to reform the shape of scrutiny at LBL were not passed, in large part as many Cllrs did not feel sufficient time had been taken to develop these proposals. In the last administration, only a minority (plurality) of then-elected members voted for the current mixture of scrutiny committees. - In recent years and particularly at the last election, the Council has experienced significant turnover, with 38% (21/54) of Cllrs being newly elected and 44% (24/54) Cllrs having been in post for less than a full term. It would be timely to revisit support for scrutiny Cllrs given this. <p>The proposal addresses significant and strategic issues and is of concern to the whole population of the Borough, as improving participation in, and the standard of, political decision-making and scrutiny of decisions will enable LBL to better deliver on its objectives and Corporate Strategy, and to improve outcomes for residents.</p> <p>Examining how to improve and deepen participation by councillors, and to improve both decision-making and scrutiny will aid in improving LBL’s performance in delivering</p>

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	<p>its objectives and the ability of political leadership to improve service delivery.</p> <p>The proposal does not intend to duplicate any of the work of scrutiny panels or the Overview & Scrutiny committee.</p>
<p>Sources of evidence</p> <p>Do you have any thoughts/ideas on where you might gather evidence? e.g., research or site visits. (Officers will be able to recommend suggestions and help with this)</p>	<p>Evidence can be gathered from examining best practice from and benchmarking against other similar local authorities (both Mayoral and non-Mayoral), conducting interviews/hearings, research, engagement with external partners, monitoring and evaluating past scrutiny recommendations, and other methods.</p>
<p>Co-optees / Technical advisors?</p> <p>Would the task and finish group benefit from having expert input such as an academic or local expert?</p>	<p>The group would benefit from input and insight from the Head of Scrutiny and other scrutiny officers. The group would also benefit from having external input from, for instance, the Centre for Governance & Scrutiny or Local Government Association.</p>
<p>Suggested timeframe</p> <p>Do you estimate / suggest that the investigation take 3, 6, 9 or 12 months? Outline your suggested timetable for evidence gathering.</p>	<p>Propose that the investigation takes 5 months. This would allow for detailed investigation into the issues while also allowing for findings to be acted upon rapidly where identified and within the gift of OSC; and for other recommendations to be proposed to Mayor & Cabinet to be acted upon in time for the next Council AGM.</p>
<p>Equalities Impact</p> <p>Identify any equalities issues that might be applicable.</p>	<p>Improving participation in scrutiny will support efforts to make LBL's decisions more representative and reflective of the Borough, through widening public participation in decision-making and supporting efforts to remove barriers to participation.</p>
<p>Councillor(s) submitting the proposal</p> <p>Please list the names of the submitting councillor(s)</p>	<p>Cllr Mark Jackson, Cllr Rudi Schmidt, Cllr Oana Olaru, Cllr Mark Ingleby, Cllr Sian Eiles⁸</p>

⁸ Note that the final membership of the group was agreed as: Cllr Jackson, Cllr Eiles, Cllr Ingleby, Cllr Rathbone, Cllr Sheikh

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Additional sources and background reading:

Lewisham Council Constitution:

<https://lewisham.gov.uk/mayorandcouncil/aboutthecouncil/how-council-is-run/our-constitution>

Centre for Governance and Scrutiny:

<https://www.cfqs.org.uk/>

Local Democracy Working Group:

<https://www.lewishamdemocracy.com/>